

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SHARROD MOTEN,

Plaintiff,

v.

CHRISTIAN PFEIFFER, et al.,

Defendants.

No. 1:24-cv-00043 JLT GSA (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. 27)

Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. Pursuant to statute, Plaintiff was required to and has paid the filing fee in full. *See* 28 U.S.C. § 1915(g). The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 31, 2025, considering that Plaintiff had been afforded several prior opportunities to amend his complaint, the magistrate judge issued findings and recommendations to dismiss the matter without prejudice for failure to comply with Federal Rule of Civil Procedure 8. (Doc. 27.) The Court served the findings and recommendations on the plaintiff and notified him that any objections were due within 14 days. (*Id.* at 6.) The Court advised him that the “failure to file objections within the specified time may result in the waiver of rights on appeal.” (*Id.* at 7, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the time to do so has passed.

1 According to 28 U.S.C. § 636(b)(1)(C), this Court performed a de novo review of this
2 case. Having carefully reviewed the matter, the Court concludes the findings and
3 recommendations are supported by the record and proper analysis. Thus, the Court ORDERS:

- 4 1. The findings and recommendations issued July 31, 2025 (Doc. 27), are
5 **ADOPTED IN FULL.**
6 2. This matter is **DISMISSED** without prejudice for failure to state a claim,
7 specifically, for Plaintiff's failure to comply with Federal Rules of Civil Procedure
8 8(a)(2) and (d)(1).
9 3. The Clerk of Court is directed to **CLOSE** this case.

10 IT IS SO ORDERED.

11 Dated: August 29, 2025


JENNIFER L. THURSTON
UNITED STATES DISTRICT JUDGE